


12-10-01

Reissue
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PTO/SB/50 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033

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REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

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Attorney Docket No.

0233C3

First Named Inventor

A. Gururaj Rao

Original Patent Number

5,990,389

Original Patent Issue Date
(Month/Day/Year)

11/23/99

Express Mail Label No.

EL213567149US

APPLICATION FOR REISSUE OF:

(Check applicable box)



Utility Patent



Design Patent



Plant Patent

APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/ 56)
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☒ Specification and Claims in double column copy of patent
format (amended, if appropriate)
4. ☒ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. ☐ Power of Attorney
7. Original U.S. Patent currently assigned? ☒ Yes ☐ No
(If Yes, check applicable box(es))
 - ☒ Written Consent of all Assignees (PTO/SB/53)
 - ☒ 37 C.F.R. § 3.73(b) Statement
(PTO/SB/96)
8. ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix)
or large table
9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all of the following are necessary)
 - a. ☒ Computer Readable Form (CFR)
 - b. Specification Sequence Listing on:
 - i ☐ CD-ROM (2 copies) or CD-R (2 copies); or
 - ii ☒ paper
 - c. ☒ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

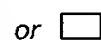
10. ☒ Statement of status and support for all changes
to the claims. See 37 CFR 1.173 (c).
11. ☒ Original U.S. Patent for surrender
 - ☒ Ribboned Original Patent Grant
 - ☐ Statement of Loss (PTO/SB/55)
12. ☐ Foreign Priority Claim (35 U.S.C. 119)
(if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
14. ☐ English Translation of Reissue Oath/Declaration
(if applicable)
15. ☒ Preliminary Amendment
16. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
17. Other:

18. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

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35,286

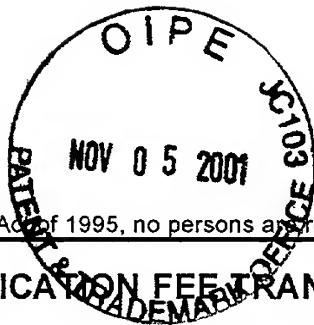
Signature

Marianne H. Michel

Date

11-5-01

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REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 0233C3		
Claims as Filed - Part 1								
Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee			
(A) 21	Total Claims (37 CFR 1.16(j))	(B) 21	**** 0 =	x \$ _____ =		OR	x \$ 18 = 0.00	
(C) 1	Independent claims (37 CFR 1.16(i))	(D) 1	* 0 =	x \$ _____ =			x \$ 84 = 0.00	
Basic Fee (37 CFR 1.16(h)) \$ _____							\$ 740.00	
Total Filing Fee \$ _____						OR	\$ _____	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	*** 21	MINUS	** 21	* = 0	x \$ _____ =		x \$ 18 =	0.00
Independent Claims (37 CFR 1.16(i))	*** 1	MINUS	***** 1	= 0	x \$ _____ =		x \$ 84 =	0.00
Total Additional Fee \$ _____						OR	\$ 0.00	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Please charge Deposit Account No. <u>16-1852</u> in the amount of <u>\$740.00</u>. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. <u>16-1852</u>. A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of \$ _____ to cover the filing / additional fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><u>11-05-01</u> Date</p> <p><u>Catherine D Brooke</u> Signature of Applicant, Attorney or Agent of Record</p> <p><u>Catherine D. Brooke</u> Typed or printed name</p>								

"EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER EL213567149US

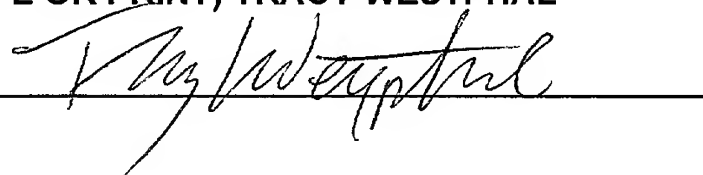
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Attorney Docket No. 0233C3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rao et al. Date: November 5, 2001

Patent No.: 5,990,389 Group Art Unit: 1649

Issued November 23, 1999 Examiner: Kimball, M.

For: High Lysine Derivatives of α -Hordothionin

Assistant Commissioner for Patents
Washington, D.C. 20231

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE
WITH 37 CFR §§1.821 THROUGH 1.825**

- ☒ I hereby state that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively, are the same.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ☐ I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages _____. I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.

Patent No. 5,990,389
Group Art Unit: 1649

- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), is identical to that originally filed.

Respectfully submitted,

Catherine D. Brooke

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